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JUL 19 2004

OFFICE OF PETITIONS

In re Application of :  
Joder, Cox, and Baugh :  
Application No. 10/623,478 : DECISION ACCORDING STATUS  
Filed: 18 July, 2003 : UNDER 37 CFR 1.47(a)  
Attorney Docket No. 1-23428 :

This is in response to the petition under 37 CFR 1.47(a)<sup>1</sup> filed on 26 April, 2004 (certificate of mailing date 22 April, 2004). The petition is **GRANTED**.

Petitioners have shown that non-signing inventor Anthony J. Baugh has refused to sign the declaration and cannot be reached. Specifically, petitioners have shown, via the statement of petitioner's registered patent attorney Richard S. MacMillan that a copy of the application papers was sent on several occasions to the last known addresses of the non-signing joint inventor. The non-signing inventor informed counsel during a telephone call that the application papers had been misplaced. A subsequent set of application papers, states counsel, was returned as undeliverable by was returned as undeliverable by Federal Express.

This application and papers have been reviewed and found in compliance with 37 CFR 1.47(a). This application is hereby accorded Rule 1.47(a) status.

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<sup>1</sup>A grantable petition under 37 CFR 1.47(a) requires:

- (1) proof that the non-signing inventor cannot be reached or refuses to sign the oath or declaration after having been presented with the application papers (specification, claims and drawings);
- (2) an acceptable oath or declaration in compliance with 35 U.S.C. §§ 115 and 116;
- (3) the petition fee; and
- (4) a statement of the last known address of the non-signing inventor.

As provided in Rule 1.47(c), this Office will forward notice of this application's filing to the non-signing inventor at the address given in the Declaration. Notice of the filing of this application will also be published in the Official Gazette.

The application is being forwarded to Technology Center 2100 for examination in due course.

Telephone inquiries related to this decision should be directed to the undersigned at 703-308-6918.

A handwritten signature in cursive script, appearing to read "D Wood".

Douglas I. Wood  
Senior Petitions Attorney  
Office of Petitions



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Anthony J. Baugh  
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Ft. Wayne IN 46804

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**OFFICE OF PETITIONS**

In re Application of  
Joder et al.

Application No. 10/623,478

Filed: 18 July, 2003

For: Method, Apparatus, and System for Quality Performance Evaluation of a Supplier Base

Dear Mr. Baugh:

You are named as a joint inventor in the above identified United States patent application, filed under the provisions of 35 U.S.C. 116 (United States Code), and 37 CFR 1.47(a), Rules of Practice in Patent Cases. Should a patent be granted on the application you will be designated therein as a joint inventor.

As a named inventor you are entitled to inspect any paper in the file wrapper of the application, order copies of all or any part thereof (at a prepaid cost per 37 CFR 1.19) or make your position of record in the application. Alternatively, you may arrange to do any of the preceding through a registered patent attorney or agent presenting written authorization from you. If you care to join the application, counsel of record (see below) would presumably assist you. Joining in the application would entail the filing of an appropriate oath or declaration by you pursuant to 37 CFR 1.63.

Telephone inquiries regarding this communication should be directed to the undersigned at 703/308-6918. Requests for information regarding your application should be directed to the File Information Unit at 703/308-2733. Information regarding how to pay for and order a copy of the application, or a specific paper in the application, should be directed to Certification Division at 703/308-9726 or 1-800-972-6382 (outside the Washington D.C. area).

Douglas I. Wood  
Senior Petitions Attorney  
Office of Petitions

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